

Notice of Allowability

Application No.

10/034,404

Applicant(s)

HANSON ET AL.

Examiner

Art Unit

Gary Chin

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 4/22/05.
2. ☒ The allowed claim(s) is/are 1-7, 10-13, 16-20 and 23-30.
3. ☒ The drawings filed on 28 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 5/26/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


GARY CHIN
PRIMARY EXAMINER

5

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Patton on 5/26/05.

The application has been amended as follows:

(I) In claim 1, lines 7-8, the phrase "configured to transmit a cellular telephone signal" has been deleted.

(II) In claim 1, line 17, after "question", the phrase --generated according to a predetermined decision tree algorithm-- has been inserted.

(III) In claim 6, line 13, before "wherein", the word --and-- has been inserted.

(IV) In claim 6, lines 14-17, after "question", the words ", wherein the wireless communication device comprises a modem and transmitter coupled to the onboard fleet management system, and wherein the transmitter is configured to transmit a cellular telephone signal" have been replaced with --according to a predetermined decision tree algorithm--.

(V) In claim 16, line 10, after "predetermined", the words --decision tree-- have been inserted.

(VI) In claim 16, line 12, before "wherein", the word --and-- has been inserted.

Art Unit: 3661

(VII) In claim 16, lines 12-14, the words “, and wherein the step of retrieving inputs from an operator includes the step of using a decision tree algorithm to determine decision tree data” has been deleted.

(VIII) In claim 23, line 11, after “predetermined”, the words --decision tree-- have been inserted.

(IX) In claim 23, line 14, before “wherein”, the word --and-- has been inserted.

(X) In claim 23, lines 15-16, the words “, and wherein the plurality of operator questions are derived from a decision tree” have been deleted.

(XI) In claim 27, line 2, before “sensor”, the word --said-- has been inserted.

2. The following is an examiner’s statement of reasons for allowance:

The claimed system and method for monitoring a work vehicle as well as a fleet management system for a vehicle by using the inputs from the operator in response to at least one computer-generated question according to a predetermined decision tree algorithm in conjunction with the sensor information and subsequently transmitting them to a remote central data center (or data receiver) in combination with the other claimed features have neither been taught nor made obvious by the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Art Unit: 3661

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Chin whose telephone number is (571) 272-6959. The examiner can normally be reached on Monday-Friday 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


GARY CHIN
PRIMARY EXAMINER